



CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
www.ci.kirkland.wa.us

DEVELOPMENT STANDARDS LIST

File: NWU Change of Use Permit, ZON08-00020

ZONING CODE STANDARDS

95.50.2.a Required Landscaping. All required landscaping shall be maintained throughout the life of the development. The applicant shall submit an agreement to the city to be recorded with King County which will perpetually maintain required landscaping. Prior to issuance of a certificate of occupancy, the proponent shall submit an agreement to maintain and replace all landscaping that is required by the City.

95.52 Prohibited Vegetation. Plants listed as prohibited in the Kirkland Plant List shall not be planted in the City.

100.25 Sign Permits. Separate sign permit(s) are required. In JBD and CBD cabinet signs are prohibited.

105.18 Pedestrian Walkways. All uses, except single family dwelling units and duplex structures, must provide pedestrian walkways designed to minimize walking distances from the building entrance to the right of way and adjacent transit facilities, pedestrian connections to adjacent properties, between primary entrances of all uses on the subject property, through parking lots and parking garages to building entrances. Easements may be required. In design districts through block pathways or other pedestrian improvements may be required. See also Plates 34 in Chapter 180.

105.32 Bicycle Parking. All uses, except single family dwelling units and duplex structures with 6 or more vehicle parking spaces must provide covered bicycle parking within 50 feet of an entrance to the building at a ratio of one bicycle space for each twelve motor vehicle parking spaces. Check with Planner to determine the number of bike racks required and location.

105.18 Entrance Walkways. All uses, except single family dwellings and duplex structures, must provide pedestrian walkways between the principal entrances to all businesses, uses, and/or buildings on the subject property.

105.18 Overhead Weather Protection. All uses, except single family dwellings, multifamily, and industrial uses, must provide overhead weather protection along any portion of the building, which is adjacent to a pedestrian walkway.

105.18.2 Walkway Standards. Pedestrian walkways must be at least 5' wide; must be distinguishable from traffic lanes by pavement texture or elevation; must have adequate lighting for security and safety. Lights must be non-glare and mounted no more than 20' above the ground.

105.18.2 Overhead Weather Protection Standards. Overhead weather protection must be provided along any portion of the building adjacent to a pedestrian walkway or sidewalk; over the primary exterior entrance to all buildings. May be composed of awnings, marquees, canopies or building overhangs; must cover at least 5' of the width of the adjacent walkway; and must be at least 8 feet above the ground immediately below it. In design districts, translucent awnings may not be backlit; see section for the percent of property frontage or building facade.

105.65 Compact Parking Stalls. Up to 50% of the number of parking spaces may be designated for compact cars.

105.60.2 Parking Area Driveways. Driveways which are not driving aisles within a parking area shall be a minimum width of 20 feet.

105.60.3 Wheelstops. Parking areas must be constructed so that car wheels are kept at least 2' from pedestrian and landscape areas.

105.60.4 Parking Lot Walkways. All parking lots which contain more than 25 stalls must include pedestrian walkways through the parking lot to the main building entrance or a central location. Lots with more than 25,000 sq.

ft. of paved area must provide pedestrian routes for every 3 aisles to the main entrance.

105.77 Parking Area Curbing. All parking areas and driveways, for uses other than detached dwelling units must be surrounded by a 6" high vertical concrete curb.

115.25 Work Hours. It is a violation of this Code to engage in any development activity or to operate any heavy equipment before 7:00 am. or after 8:00 pm Monday through Friday, or before 9:00 am or after 6:00 pm Saturday. No development activity or use of heavy equipment may occur on Sundays or on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day. The applicant will be required to comply with these regulations and any violation of this section will result in enforcement action, unless written permission is obtained from the Planning official.

115.75.2 Fill Material. All materials used as fill must be non-dissolving and non-decomposing. Fill material must not contain organic or inorganic material that would be detrimental to the water quality, or existing habitat, or create any other significant adverse impacts to the environment.

115.90 Calculating Lot Coverage. The total area of all structures and pavement and any other impervious surface on the subject property is limited to a maximum percentage of total lot area. See the Use Zone charts for maximum lot coverage percentages allowed. Section 115.90 lists exceptions to total lot coverage calculations See Section 115.90 for a more detailed explanation of these exceptions.

115.95 Noise Standards. The City of Kirkland adopts by reference the Maximum Environmental Noise Levels established pursuant to the Noise Control Act of 1974, RCW 70.107. See Chapter 173-60 WAC. Any noise, which injures, endangers the comfort, repose, health or safety of persons, or in any way renders persons insecure in life, or in the use of property is a violation of this Code.

115.115 Required Setback Yards. This section establishes what structures, improvements and activities may be within required setback yards as established for each use in each zone.

115.115.3.p HVAC and Similar Equipment: These may be placed no closer than five feet of a side or rear property line, and shall not be located within a required front yard; provided, that HVAC equipment may be located in a storage shed approved pursuant to subsection (3)(m) of this section or a garage approved pursuant to subsection (3)(o)(2) of this section. All HVAC equipment shall be baffled, shielded, enclosed, or placed on the property in a manner that will ensure compliance with the noise provisions of KZC 115.95.

115.115.d Driveway Setbacks. Parking areas and driveways for uses other than detached dwelling units, attached and stacked dwelling units in residential zones, or schools and day-cares with more than 12 students, may be located within required setback yards, but, except for the portion of any driveway which connects with an adjacent street, not closer than 5 feet to any property line.

115.120 Rooftop Appurtenance Screening. New or replacement appurtenances on existing buildings shall be surrounded by a solid screening enclosure equal in height to the appurtenance. New construction shall screen rooftop appurtenances by incorporating them in to the roof form.

115.135 Sight Distance at Intersection. Areas around all intersections, including the entrance of driveways onto streets, must be kept clear of sight obstruction as described in this section.

Date: 2/9/2009

DEVELOPMENT STANDARDS

CASE NO.: ZON08-00020
PCD FILE NO.:ZON08-00020

FIRE DEPARTMENT CONDITIONS

The Fire Department has no specific conditions related to the "change of use" aspect of the application.

All fire protection systems will be required to be maintained throughout the existing buildings.

PUBLIC WORKS CONDITIONS:

1. Public Works has no street or utility conditions for the subject Zoning Permit because no improvements or changes are planned for the exterior of the building.
2. The Public Works Traffic Engineer is reviewing the Traffic Impact Analysis and will be providing a set of comments and/or conditions in a separate memorandum to the Planner.
3. If it is determined that the new change in use generates more traffic during the PM peak than the previous use, traffic impact fees will be due prior to issuance of the Building Permit for the Tenant Improvements.

RESOLUTION NO. R- 4203

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND, APPROVING THE ISSUANCE OF A PROCESS III PERMIT AS APPLIED FOR IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. III-IV-95-30 BY NORTHWEST COLLEGE AND SETTING FORTH CONDITIONS TO WHICH SUCH PROCESS III PERMIT SHALL BE SUBJECT.

WHEREAS, the Department of Planning and Community Development has received an application for a Process III permit filed by Northwest College; and

WHEREAS, pursuant to the State Environmental Policy Act, RCW 43.21C and the Administrative Guideline and local ordinance adopted to implement it, an environmental checklist has been submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland, and a negative determination reached on November 26, 1997 and Addendum issued on May 22, 1998; and

WHEREAS, the environmental checklist and determination have been available and accompanied the application through the entire review process; and

WHEREAS, the application has been submitted to the Hearing Examiner who held a public hearing thereon at his regular meeting of December 16, 1997 and February 12, 1998; and

WHEREAS, the Hearing Examiner, after his public hearing and consideration of the recommendations of the Department of Planning and Community Development, did adopt certain Findings, Conclusions and Recommendations, and did recommend approval of the Process III permit (master plan revisions) subject to the specific conditions set forth in the recommendation; and

WHEREAS, the City Council, in regular meeting on May 19, 1998, did consider the environmental documents received from the responsible official, together with the recommendation of the Hearing Examiner; and

WHEREAS, at the May 19, 1998 meeting, the City Council adopted Resolution Nos. 4127 approving the Process III Permit (master plan revision), 4128 (Intention to adopt comprehensive plan amendment), and 4129 (Intention to a adopt rezone) and Ordinance No. 3629 (PLA 1 text amendments); and

WHEREAS, on July 16, 1998, the Houghton Community Council adopted Resolution No. 98-2, which disapproved and rendered void City Resolutions Nos. 4127, 4128, and 4129 and City Ordinance No. 3629; and

WHEREAS, in December 1998, the City Council adopted the Comprehensive Plan amendments referenced in Resolution No. 4128; and

WHEREAS, the City Council, in regular meeting on August 10, 1999, did consider the environmental documents received from the responsible official, together with the recommendation of the Hearing Examiner and the recommendation of City staff, to add conditions to the conditions set forth in the Hearing Examiner's recommendation; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. The Findings, Conclusions, and Recommendations of the Hearing Examiner as signed by him and filed in the Department of Planning and Community Development File No. III-IV-95-30 are adopted by the Kirkland City Council as though fully set forth herein, except that:

1. Conclusion 5 shall be replaced by the following:

Locations for the traffic signal on 108th Avenue NE and the main entrance to the campus should be selected just prior to the installation of the traffic signal so that traffic and circulation impacts can be fully evaluated.

2. Subparagraph (1) of Recommendation 8.a. (Right-of-Way Improvements, 114th Avenue NE) is amended to read as follows:

Prior to the issuance of any construction permit for any new structure on Parcel 7, the applicant shall dedicate 20' of property for public right-of-way (on the east side of the existing right-of-way) along the full frontage of that parcel, and shall submit to the Public Works Department for recording with the King County Department of Records and Elections a concomitant agreement for the improvement of 114th Avenue NE abutting Parcel 7: 28 feet of paving, storm drainage, curb and gutter, a 4.5 foot planter strip with street trees and sidewalks on both sides of the street (see Exhibit A, Attachment 8). These street improvements shall not be constructed at this time and shall only be installed in the future upon direction from the Kirkland City Council, following a public hearing on the matter. If future Master Plan amendments are proposed by the College, improvements to 114th Avenue NE may be considered. If the College sells property along the 114th Avenue NE right-of-way, development of the property sold will require reanalysis of the need for street improvements.

3. A new Recommendation 8.e. is added to read as follows:

Traffic signal on 108th Avenue NE

Prior to the installation of the traffic signal on 108th Avenue NE, the City Council shall review the proposed location of the signal, and may direct that the signal be located either at the intersection of NE 53rd Street and 108th Avenue NE or at the intersection of the main campus entrance and 108th Avenue NE. Further, the City Council may direct that the main campus entrance remain in its present location or be relocated to align with NE 55th Street at the time the traffic signal is installed on 108th Avenue NE.

4. A new paragraph is added to Recommendation 9 to read as follows:

A parking and traffic management plan shall be submitted describing how parking and circulation will be handled to avoid impacts to the surrounding neighborhood in either situation:

- (1) When Northwest College anticipates an event where all 1,178 parking stalls are anticipated to be filled; or
- (2) When any tenant of Northwest College, including the Seahawks, holds an event where the anticipated number of guests will exceed 100; or
- (3) When simultaneous events in the pavilion, gym, and chapel are anticipated to generate traffic from off-campus guests.

5. The second paragraph of Recommendation 11.b.(5) is amended to read as follows:

A Process III zoning permit review process is required (1) for any change to the Master Plan that does not meet the above criteria, (2) for leasing of any campus facilities to long-term tenants, (3) for any increase in student population above 1,200, or (4) for a change in all or any part of the Seahawks facility to a use other than a professional football team office and practice facility.

6. A new paragraph is added to Recommendation 11 to read as follows:

The Planning Director shall notify the Houghton Community Council in writing of a proposed decision on a request for modifications of the Master Plan at least 40 days before issuance of the decision.

Section 2. The Process III permit shall be issued to the applicant subject to the conditions set forth in the recommendations hereinabove adopted by the City Council.

Section 3. Nothing in this resolution shall be construed as excusing the applicant from compliance with any federal, state, or local statutes, ordinance, or regulations applicable to this project, other than expressly set forth herein.

Section 4. Failure on the part of the holder of the permit to initially meet or maintain strict compliance with the standards and conditions to which the Process III permit is subject shall be grounds for revocation in accordance with Ordinance 2740, as amended, of the Kirkland Zoning Ordinance.

Section 5. Notwithstanding any recommendations heretofore given by the Houghton Community Council, the subject matter of this resolution and the Permit herein granted are, pursuant to Ordinance 2001, subject to the disapproval jurisdiction of the Houghton Community Council or the failure of the Community Council to disapprove this resolution within 60 days of the date of the passage of this resolution.

Section 6. A complete copy of this resolution, including Findings, Conclusions and Recommendations adopted by reference, shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments..

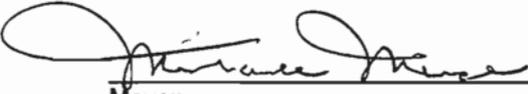
Section 7. A certified copy of this resolution, together with the Findings, Conclusions, and Recommendations herein adopted shall be attached to and become a part of the development permit or evidence thereof, delivered to the permittee.

Section 8. Certified or conformed copies of this resolution shall be delivered to the following:

- (a) Department of Planning and Community Development of the City of Kirkland
- (b) Fire and Building Department for the City of Kirkland
- (c) Public Works Department of the City of Kirkland
- (d) City Clerk for the City of Kirkland

PASSED by majority vote of the Kirkland City Council in regular, open meeting on the 10th day of August, 1999.

SIGNED IN AUTHENTICATION thereof on the 10th day of August, 1999.



Mayor

Attest:



Deputy City Clerk



DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.12	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Private College and Related Facilities	If development is consistent with the Master Plan adopted in R-4203, then none. Otherwise, must amend the Master Plan using Process IIB, Chapter 152 KZC.	As established in the Master Plan or as allowed in Special Regulations.									<ol style="list-style-type: none"> 1. The Master Plan, approved by Resolution 4203, includes a site plan, which is on file with the City. That site plan is, by reference, incorporated as a part of this Code as it pertains to the location, configuration and nature of improvements in the PLA-1 zone. 2. In addition to the site plan referenced above, the adopted Master Plan includes the following special regulations: <ol style="list-style-type: none"> a. Future development permits shall be reviewed by the Planning Director to ensure consistency with the Master Plan. b. The applicant shall indicate all site improvements and landscaping for the areas to be affected by construction which are proposed to accompany the construction of each facility. The Planning Director shall have the authority to require implementation of these related elements of the Master Plan at such time new facilities, structures or additions are being constructed. c. At the time of application for development of the married student housing information relating to the degree of cutting and filling necessitated shall be provided. Plans for stabilization of nearby slopes shall be included in this information. This information shall indicate to what extent the drainage conditions on the eastern portion of the campus will be disturbed, and what measures will be taken to insure that surrounding properties will not be adversely affected by alternate drainage patterns. d. A 30-foot-wide landscape buffer planted pursuant to the requirements of KZC 95.25(2) shall be provided around the campus perimeter, except along 108th Ave. NE, 114th Ave. NE, I-405, and between on-campus duplex housing and adjacent single-family sites or I-405. The buffer shall incorporate all existing significant trees and vegetation. Where fencing is proposed, it shall be wood, unless alternative fencing is requested in writing by the adjacent neighbor and agreed to by the applicant. e. A 15-foot-wide landscape buffer planted pursuant to the requirements of KZC 95.25(2) shall be provided between on-campus duplex housing and adjacent single-family sites. The buffer shall incorporate all existing significant trees and vegetation. f. New construction of buildings and parking areas shall preserve existing significant trees to the maximum extent possible. g. Storm drainage plans shall accompany any applications for development permits. Said plans shall comply with the requirements of KMC Title 15.

REGULATIONS CONTINUED ON NEXT PAGE



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Section 60.12	 	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Private College and Related Facilities (continued)									<p>h. Development permits for additional parking areas shall include a lighting plan for review and approval by the Planning Director. The lighting shall be directed such that it does not negatively impact adjacent residential areas.</p> <p>i. All main interior streets shall maintain a driving width of 24 feet plus curb and gutter improvements on both sides of the streets, for a total of 28 feet. Widths of, and improvements to secondary streets and service roads shall be subject to the review and approval of the Planning Director. It will be necessary for secondary streets and service roads to provide adequate clearance for emergency vehicle access.</p> <p>j. The location, material and design of any walkway within the campus shall be at the discretion of the College and its representatives, but will be reviewed by the Planning Director; provided, that the pedestrian/bicycle path in 114th Ave. NE shall be asphalt or concrete, eight feet wide.</p> <p>k. The "NO PARKING" signs along 110th Avenue N.E., east of the men's dormitory, shall remain indefinitely, to discourage future parking along this street.</p> <p>l. Within 30 feet of all outer edges of the campus (except along 108th Ave. NE, 114th Ave. NE, and I-405), no institutional uses or new parking areas are permitted, including any future redevelopment of the maintenance buildings.</p> <p>m. The housing unit, south of Gairloch, and west of 114th Ave. N.E., shall be separated from abutting properties to the north and east by a dense vegetative buffer of not less than 30 feet.</p> <p>n. Parking lots shall include landscaping islands as required by Chapter 105 KZC.</p> <p>o. Where adjacent to existing single-family residences, existing campus roadways and parking areas shall be landscaped as much as possible in the space available to provide a visual screen of the roadways and parking areas from the nearby residences. The amount and type of landscaping shall be subject to the review and approval of the Planning Director. An effort shall be made to reduce the amount of asphalt surfacing wherever possible.</p>		

REGULATIONS CONTINUED ON NEXT PAGE

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Section 60.12	 	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Private College and Related Facilities (continued)										<p>p. Construction of the proposed clock tower shall be subject to the issuance of a Process IIB Permit, to be reviewed by the Houghton Community Council, the Kirkland Hearing Examiner and the Kirkland City Council.</p> <p>q. The two westernmost campus access drives (adjacent to the Seventh Day Adventist Church and opposite 111th Ave. NE) shall be closed to general vehicle use. The driveway serving The Firs married student housing shall be relocated to lie within the 114th Ave. NE right-of-way.</p> <p>r. The District Office shall have only one access point from 108th Avenue N.E.</p> <p>s. New buildings or building expansions must conform with design guidelines as adopted as part of the master plan.</p> <p>t. The City is authorized to implement measures, identified in the approved master plan, to protect the surrounding neighborhood from parking impacts.</p> <p>u. For other regulations applicable to this use, see the master plan approved under Resolution R-4203.</p> <p>v. Structure height shall not exceed 30 feet above average building elevation if located within 100 feet of the campus perimeter, or 40 feet above average building elevation if located greater than 100 feet from the campus perimeter.</p> <p>3. Deviations from the approved master plan may be administratively approved by the Planning Director:</p> <p>a. Unless:</p> <ol style="list-style-type: none"> 1) There is a change in the use and the Zoning Code establishes different or more rigorous standards for the new use than for the existing use. 2) The Planning Director determines that there will be substantial changes in the impacts on the neighborhood or the City as a result of the change; and <p>b. The proposed modification or deviation satisfies all of the following:</p> <ol style="list-style-type: none"> 1. No vehicular ingress or egress from surrounding streets may be changed. 2. No roadways, parking lots or structures within 100 feet of the site perimeter may be shifted toward the perimeters. Any other shifting or improvements shall be consistent with the design concept of the College. <p style="text-align: right;">REGULATIONS CONTINUED ON NEXT PAGE</p>	

Section 60.12



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.12	USE REGULATIONS	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Private College and Related Facilities (continued)										3. No buffers shown in the approved site plan may be reduced, unless specifically authorized by some other special regulation. 4. Reconfigurations of the footprint of the structures shown in the approved plan may be permitted; provided, that such changes are not apparent off-site and do not increase building height. 5. Minor new structures not shown on the approved site plan may be permitted; provided, that they are at least 200 feet from the site perimeter, are not apparent from off-site and do not require the significant shifting of roadways, parking areas or other improvements. c. The Planning Director shall notify the Houghton Community Council in writing, at least 40 days before issuance of a decision on a request for a modification of the Master Plan. d. A Process IIB zoning permit review process is required: <ol style="list-style-type: none"> 1) For any change to the Master Plan that does not meet the above criteria; 2) For leasing of any campus facilities to long-term tenants; 3) For any increase in student population above 1,200; or 4) For a change in all or any part of the Seahawks facility to a use other than a professional football team office and practice facility. 	

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Section 60.12	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.020	Professional Football, Baseball, or Soccer Practice or Play Facility	None, if part of approved Master Plan adopted in R-4203. Otherwise, Process IIB, Chapter 152 KZC.	10 acres	As established in the Master Plan or as allowed under Special Regulation 1.			80%	30' above average building elevation. See Special Regulations 2 and 3.	C See Spec. Reg. 4.	B See Spec. Reg. 6.	See KZC 105.25. See Spec. Reg. 7.	<ol style="list-style-type: none"> All structures and practice and play facilities must be setback from exterior property lines at least 50 feet. Parking lots must be setback at least 50 feet from single-family uses and screened and interspersed with landscaping pursuant to Chapters 95 and 105 KZC. Maximum structure height is determined by the approved Master Plan. Maximum height of temporary structures shall be 60 feet above finished grade. Perimeter buffering is determined by the approved Master Plan. One point of vehicular access only is permitted directly onto NE 53rd Street. Secondary access through the college campus is permitted. A single pedestal or monument sign, non-interior illuminated, shall be permitted on NE 53rd Street. During summer training camp, the public will be directed, by means of pedestal signs at entrances to the college, to the parking areas in the interior of the campus. On-site parking shall be adequate to meet peak season use. No public exhibitions or games shall be permitted. No helicopter operations shall be permitted, except for emergency situations. No graphics or markings shall be permitted on the exterior of the temporary structure, except as required by state, federal or local regulations. Only one professional sport organization may occupy and use the facility in any consecutive 12-month period.
.030	Detached Dwelling Unit	None	8,500 sq. ft.	20'	5', but 2 side yards must equal at least 15'.	10'	50%	25' above average building elevation.	E	A	2.0 per unit.	<ol style="list-style-type: none"> Not more than one dwelling unit may be on each lot regardless of lot size. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities, and activities associated with this use.